

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 14275US02)**

In the Application of:

Jeyhan Karaoguz, et al.

Serial No. 10/675,076

Filed: September 30, 2003

For: METHOD AND SYSTEM FOR
TV INTERFACE FOR
COORDINATING MEDIA
EXCHANGE WITH A MEDIA
PERIPHERAL

Examiner: Macilwinen, John Moore Jain

Group Art Unit: 2442

Confirmation No. 5075

***Electronically Filed on
April 27, 2010***

APPEAL BRIEF

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicants respectfully request that the Board of Patent Appeals and Interferences reverse the final rejection of claims 1-34 of the present application. The Applicants request a 2-month extension of time in which to respond. Thus, the period for response runs until May 4, 2010, which is 3 months from the mailing date of the February 4, 2010 Notice of Panel Decision from Pre-Appeal Brief Review.

REAL PARTY IN INTEREST
(37 C.F.R. § 41.37(c)(1)(i))

The real party in interest is Broadcom Corporation, a corporation organized under the laws of the state of California, having a place of business at 5300 California Avenue, Irvine, California 92617.

RELATED APPEALS AND INTERFERENCES
(37 C.F.R. § 41.37(c)(1)(ii))

The Applicants are not currently aware of any proceedings that may be related to, directly affect or be directly affected by, or have a bearing on the Board's decision in the present appeal.

STATUS OF THE CLAIMS
(37 C.F.R. § 41.37(c)(1)(iii))

The present application includes claims 1-34, all of which stand rejected. The Applicants identify claims 1-34 as the claims that are being appealed. The text of the claims involved in this Appeal is provided in the Claims Appendix.

STATUS OF AMENDMENTS
(37 C.F.R. § 41.37(c)(1)(iv))

Subsequent to the final rejection of claims 1-34 mailed August 14, 2009, the Applicants filed a Notice of Appeal and Pre-Appeal Brief Request for Review.¹ The Notice of Panel Decision from Pre-Appeal Brief Review indicates that the application should proceed to the Board of Patent Appeals and Interferences.² No claims were amended in response to the final rejection of claims 1-34.

¹ See November 12, 2009 Notice of Appeal and Pre-Appeal Brief Request for Review.

² See February 4, 2010 Notice of Panel Decision from Pre-Appeal Brief Review.

SUMMARY OF CLAIMED SUBJECT MATTER
(37 C.F.R. § 41.37(c)(1)(v))

Independent claim 1 recites the following:

A method for supporting communication of media,³ the method comprising:
controlling communication of the media from a television,⁴ in a home location,⁵
within a media processing system, without consuming the media by said television
during said controlling,⁶ wherein said media processing system comprises a plurality of
media processing devices at a plurality of geographic locations; and

transferring the media from a first media processing device at a first geographic
location that is remotely located⁷ from the home location to at least a second media
processing device at a second geographic location⁸ that is also remotely located from
the home location⁹ according to said controlling communication from said television in
the home location.¹⁰

Independent claim 11 recites the following:

A machine-readable storage having stored thereon, a computer program having
at least one code section for supporting communication of media,¹¹ the at least one
code section being executable by a machine for causing the machine to perform steps
comprising:

controlling communication of the media from a television,¹² in a home location,¹³

³ See present application at, for example, page 4, lines 2-13.

⁴ See *id.*, at, for example, page 4, lines 3-4, page 11, lines 13-17, Figure 1, ref. 118.

⁵ See *id.*, at, for example, page 8, lines 26-27 and Figure 1, ref. 101.

⁶ See *id.*, at, for example, page 4, lines 3-4, page 8, lines 3-5 and 19-22.

⁷ See *id.*, at, for example, page 4, lines 5-6, page 9, lines 4-5.

⁸ See *id.*, at, for example, page 8, lines 5-7.

⁹ See *id.*, at, for example, page 5, lines 8-14.

¹⁰ See *id.*, at, for example, page 4, lines 4-5, page 12, lines 1-13, page 12, lines 14-25,
page 12, line 26 to page 13, line 18, and Figure 1, refs. 103, 106, 107, 110, 111, 112,
and 113.

¹¹ See *id.*, at, for example, page 4, lines 20-24.

¹² See *id.*, at, for example, page 4, lines 3-4, page 11, lines 13-17, Figure 1, ref. 118.

within a media processing system, without consuming the media by said television during said controlling,¹⁴ wherein said media processing system comprises a plurality of media processing devices at a plurality of geographic locations; and

transferring the media from a first media processing device at a first geographic location that is remotely located¹⁵ from the home location to at least a second media processing device at a second geographic location¹⁶ that is also remotely located from the home location¹⁷ according to said controlling communication from said television in the home location.¹⁸

Independent claim 21 recites the following:

A system for supporting communication of media,¹⁹ the system comprising:

a media peripheral²⁰ at a first geographic location;²¹

a television²² within a media processing system at a home location²³ that is remotely located from the first geographic location, said television is utilized to arrange media delivery from a second geographic location that is remotely located from said home location²⁴ to the media peripheral at the first geographic location for playback on said media peripheral; and

¹³ See *id.*, at, for example, page 8, lines 26-27 and Figure 1, ref. 101.

¹⁴ See *id.*, at, for example, page 4, lines 3-4, page 8, lines 3-5 and 19-22.

¹⁵ See *id.*, at, for example, page 4, lines 5-6, page 9, lines 4-5.

¹⁶ See *id.*, at, for example, page 8, lines 5-7.

¹⁷ See *id.*, at, for example, page 5, lines 8-14.

¹⁸ See *id.*, at, for example, page 4, lines 4-5, page 12, lines 1-13, page 12, lines 14-25, page 12, line 26 to page 13, line 18, and Figure 1, refs. 103, 106, 107, 110, 111, 112, and 113.

¹⁹ See *id.*, at, for example, page 4, line 25 to page 5, line 7.

²⁰ See *id.*, at, for example, page 4, line 26, Figure 1, ref. 110.

²¹ See *id.*, at, for example, page 4, lines 5-6, page 9, lines 4-5.

²² See *id.*, at, for example, page 4, line 26, page 4, lines 3-4, page 11, lines 13-17, Figure 1, ref. 118.

²³ See *id.*, at, for example, page 8, lines 26-27 and Figure 1, ref. 101.

²⁴ See *id.*, at, for example, page 4, lines 5-6, page 9, lines 4-5.

a communication pathway²⁵ between the first geographic location and the second geographic location that operates independent of said television through which the media is delivered.²⁶

Independent claim 27 recites the following:

A system supporting communication of media, the system comprising:

a media peripheral located at a first home;²⁷ and

a television, within a media processing system, located at a second home that is remotely located from the first home,²⁸ wherein said television is utilized to arrange delivery of media from a third home that is remotely located from said first and second homes to said media peripheral at said first home.²⁹

Dependent claim 28 recites the following:

The system according to claim 27, wherein said television transfers stored media to one or both of a media peripheral located at said first home and/or another media peripheral remotely located with respect to said first home.³⁰

Independent claim 31 recites the following:

A system supporting communication of media, the system comprising:

a television, within a media processing system, located at a second home that is remotely located from a media peripheral located at a first home,³¹ wherein said

²⁵ See *id.*, at, for example, page 4, lines 26-28.

²⁶ See *id.*, at, for example, page 4, lines 26-28, and page 4, lines 4-5, page 12, lines 1-13, page 12, lines 14-25, page 12, line 26 to page 13, line 18, and Figure 1, refs. 103, 106, 107, 110, 111, 112, and 113.

²⁷ See *id.*, at, for example, page 4, line 26, Figure 1, ref. 110.

²⁸ See *id.*, at, for example, page 4, lines 3-4, page 11, lines 13-17, Figure 1, ref. 118.

²⁹ See *id.*, at, for example, page 4, line 28 to page 5, line 1, page 4, lines 14-19, page 8, line 24 to page 9, line 5, page 12, line 26 to page 13, line 26, page 14, line 27 to page 15, line 14.

³⁰ See *id.*, for example, at page 13, lines 9-26.

³¹ See *id.*, at, for example, page 4, lines 3-4, page 11, lines 13-17, Figure 1, ref. 118.

television is utilized to arrange delivery of media from a third home that is remotely located from said first and second homes to said media peripheral at said first home.³²

Dependent claim 32 recites the following:

The system according to claim 31, wherein said television transfers-stored media to one or both of said media peripheral located at said first home and/or another media peripheral remotely located with respect to said first home.³³

**GROUND OF REJECTION TO BE REVIEWED ON APPEAL
(37 C.F.R. § 41.37(c)(1)(vi))**

- Claims 27 and 31 stand rejected under 35 U.S.C. 112, first paragraph.
- Claims 28 and 32 stand rejected under 35 U.S.C. 112, first paragraph.
- Claims 1-6, 8-15, and 17-24 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 6,915,528 ("McKenna").
- Claims 7, 17, 25, and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over McKenna in view of SONICblue (Replay TV 400 Users Guide, 2001).
- Claims 27-34 stand rejected under 35 U.S.C. 103(a) as being unpatentable over McKenna in view of U.S. 2002/0147975 ("Seo").

³² See *id.*, at, for example, page 4, line 28 to page 5, line 1, page 4, lines 14-19, page 8, line 24 to page 9, line 5, page 12, line 26 to page 13, line 26, page 14, line 27 to page 15, line 14.

³³ See *id.*, for example, at page 13, lines 9-26.

ARGUMENT
(37 C.F.R. § 41.37(c)(1)(vii))

I. Claims 27 And 31 Are Fully Supported By The Specification And Drawings

The Applicants first turn to the rejection of claims 27 and 31 under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description because the specification allegedly does not describe, a “third home” and media “from a third home.” See August 14, 2009 Office Action at page 5.

The Applicants respectfully submit, however, that the specification does, in fact, provide support for this limitation. For example, the specification states that “[t]ransfer of the media from the first location to **one or more other locations....**” See present application at, for example, page 4, lines 15-18 (emphasis added).

The first location may be a “user’s home....” See *id.* at, for example, page 8, lines 26-27.

“The remote location 102 may include, for example, an office, a parent’s home, and/or a friend’s home.” See *id.* at page 9, lines 4-5.

Further, the “exchange of media may take place between various system components or entities. For example, the exchange of media may take place between two or more media peripherals 110, 111, 112, 113 such as digital cameras and PDAs, cell phones and digital cameras.” See *id.* at page 12, lines 26-29.

Also, for example, a “third... party may subsequently transfer or push detailed advertisement media, for example, to the media processing system 116 at the first location or user’s home 101 via the communication infrastructure 105.” See *id.* at, for example, page 15, lines 11-14.

As shown in these examples, the specification of the present application provides support for a “third home” and “media from a third home.” Thus, the Applicants respectfully request reconsideration of this claim rejection.

However, the Final Office Action responds to this explanation by summarily concluding that “Applicant’s Specification fails to provide support for these limitations....” See August 14, 2009 Office Action at page 2.

The Examiner seems to be maintaining this rejection simply because the specification does not specifically recite “third home.” However, as shown above, the specification clearly indicates multiple locations, which may be homes.

Further,

The function of the description requirement is to ensure that the inventor had possession of, as of the filing date of the application relied upon, the specific subject matter later claimed by him; how the specification accomplishes this is not material. **The claimed subject matter need not be described *in haec verba* to satisfy the description requirement.**

In re Herschler, 591, F.2d 693, 700-701 (CCPA 1979) (citations omitted) (emphasis added).

It is not necessary that every permutation within a generally operable invention be effective in order for an inventor to obtain a generic claim, provided that the effect is sufficiently demonstrated to characterize a generic invention.

Capon v. Eshhar, 418 F.3d 1349, 1359 (Fed. Cir. 2005).

Thus, for at least these reasons, the Applicants respectfully submit that the specification and drawings support claims 27 and 31.

II. Claims 28 And 32 Are Fully Supported By The Specification And Drawings

The Applicants next turn to the rejection of claims 28 and 32 under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description because “both of a media peripheral” is allegedly not disclosed in the specification. See August 14, 2009 Office Action at page 5.

Initially, the claims recite, in part, “wherein said television transfers-stored media to one or both of a media peripheral located at said first home and/or another media peripheral remotely located with respect to said first home.” Thus, the claims are clear

that the television transfers media to a media peripheral at the first home and/or another media peripheral remotely located from the first home.

These limitations are clearly described in the specification at, for example, page 13, lines 9-10 (“The exchange of media may also take place between a television and one **or more media peripherals 110, 111, 112, 113** or media storage devices 103, 106, 107.”) See also *id.* at Figure 1 (note the location of media peripherals 110, 111, 112, and 113).

As noted above,

It is not necessary that every permutation within a generally operable invention be effective in order for an inventor to obtain a generic claim, provided that the effect is sufficiently demonstrated to characterize a generic invention.

Capon v. Eshhar, 418 F.3d 1349, 1359 (Fed. Cir. 2005).

Thus, for at least these reasons, the Applicants respectfully submit that the specification and drawings provide support for claims 28 and 32.

III. McKenna Does Not Anticipate Claims 1-6, 8-15, And 17-24

The Applicants now turn to the rejection of claims 1-6, 8-15, and 17-24 as being anticipated by McKenna. “A claim is anticipated only if **each and every element** as set forth in the claim is found, either expressly or inherently described, in **a single prior art reference.**” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). “The **identical** invention must be shown in as complete detail as is contained in ... the claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).”

A. Independent Claims 1, 11, And 21

Claim 1 recites, in part, “transferring the media from a first media processing device at a **first geographic location** that is remotely located from the **home location** to at least a second media processing device at a **second geographic**

location that is also remotely located from the home location according to said controlling communication **from said television in the home location.**”

The claim is clear that the **first and second locations are both remotely located from the home location**. Therefore, the claim recites three different locations: (1) the home location, (2) the first geographic location, and (3) the second geographic location, each of which is separate and distinct from one another. Further, the television in the **home location** provides the controlling communication to transfer media **from the first geographic location to the second geographic location**.

Note, claim 1 does **not** recite that media is being transferred from the home location to the first or second geographic location (or from one of the first and second geographic locations to the home location). Instead, the television in the home location provides controlling of communication that results in the transfer of media from the first location to the second location.

The Applicants now turn to McKenna, which relates to a system and method aimed at providing “convenient access to available programming within an entertainment system without requiring the use of a conventional grid-based EPG.” See McKenna at column 1, lines 56-60. McKenna discloses that a “record action may be propagated from the selected PIO to all of the PIOs linked to the selected PIO.” See *id.* at column 4, lines 7-9.

In stark contrast to claim 1 of the present application, while McKenna discloses that one PIO may propagate a “record action” to other PIOs, McKenna does not describe, teach or suggest that media is being sent between locations (e.g., from a first geographic location to a second location) based on a command from a separate location (e.g., a home location). Indeed, McKenna discloses “broadcast center 110” that broadcasts programming. See *id.* at column 6, lines 7-10.

McKenna also discloses the following:

As shown in FIG. 15, PIOs 502 may be transmitted from one system to another. For example, a PIO 502a may be transmitted via the network 101 to second STB 102b. ...

In the illustrated embodiment, a user of the source STB 102a may select the visual indicator 508a of PIO 502a. Thereafter, the user may select, for example, the send action 504f from the context-sensitive menu 802. The send action 504f may include code for interacting with the communication component 1502 to transmit a copy of the PIO 502a to the destination 102b.

Id. at column 15, line 66 to column 16, line 21. When read in conjunction with Figure 15 of McKenna, to which the above description pertains, it is clear that the visual indicator 508a stored on STB 102a (and being shown in television 104 connected to STB 102a) is being sent from STB 102a to STB 102b. **However, McKenna does not describe, teach or suggest that one location is commanding media to be sent from STB 102a to 102b, or vice versa.**

The Office Action has not cited to anything in McKenna that describes, teaches or suggests that media is sent from one location to another based on a command from **a location that is separate, distinct and remote from the first two locations.** Indeed, there simply is nothing in McKenna that describes, teaches or suggest such an arrangement.

In general, the Applicants respectfully submit that McKenna does not describe, teach or suggest “transferring the media from a first media processing device at a first geographic location that is remotely located from the home location to at least a second media processing device at a second geographic location that is also remotely located from the home location according to said controlling communication from said television in the home location,” as recited in claims 1 or 11, for example.

McKenna also does not describe, teach or suggest “a television within a media processing system at a home location that is remotely located from the **first geographic location**, said television is utilized to arrange media delivery from a **second geographic location** that is remotely located from said home location to the

media peripheral at **the first geographic location** for playback on said media peripheral,” as recited in independent claim 21.

Thus, for at least these reasons, McKenna does not anticipate claims 1-6, 8-15, and 17-24.

The Final Office Action states, however, the following:

Applicant’s argument is not persuasive as McKenna teaches on col. 6, lines 25-30 that “a **first STB** [set top box] may send a video transmission upstream to a first broadcast center, then to a second broadcast center, and finally downstream to a second STB”.

See August 14, 2009 Office Action at page 3 (emphasis added). However, this statement reflects the Office Action’s fundamental misunderstanding of the claim language.

The cited portion of McKenna merely indicates that “a **first STB 102** may send a video transmission upstream to a first broadcast center 110, then to a second broadcast center 110, and finally downstream to a second STB 102.” See McKenna at column 6, lines 25-30 (emphasis added).

The cited portion does not indicate that the STB 102 controls transfer of media from a first broadcast center to another broadcast center or from one of those broadcast centers to another STB 102. Instead, the cited portion merely notes a sequence of transfers from the STB 102. First, the **first STB 102** sends a video transmission to a first broadcast center 110. Then, the **first STB 102** sends the transmission to another broadcast center 110. Finally, the **first STB 102** may send the transmission to another STB. In all scenarios, however, it is the first STB 102 sending the transmission, but not the first STB 102 controlling transmission between components that are separate and distinct from the first STB 102.

As noted above, however, the claims specifically recite “transferring the media from a first media processing device at a **first geographic location that is remotely located from the home location** to at least a second media processing device at a

second geographic location that is also remotely located from the home location according to said controlling communication from said television in the home location.”

Again, the **home location**, as recited in claim 1, for example, is controlling the transfer of media from a first geographic location to a second geographic location (not merely from the home location to the first location, and then from the home location to the second location), both of which are separate and distinct from the home location. As shown above, however, the Office Action merely cites to a portion of McKenna that discloses that a set top box may send transmissions to multiple broadcast centers and another STB, **but not that the set top box is controlling transfer of media between the multiple broadcast centers and/or the other STB.**

B. Dependent Claims 4 And 14

Dependent claim 4 recites, in part, “receiving at least one request by said television for said controlling communication of the media [from said television in the home location].” Dependent claim 14 recites similar limitations.

The Office Action cites McKenna at column 6, lines 20-30, column 11, line 38 to column 12, line 5, and Figures 6-8 as disclosing these limitations. See August 14, 2009 Office Action at page 7.

However, none of the cited portions describes, teaches, or suggests “receiving at least one **request by said television for said controlling communication of the media [from said television in the home location],**” as recited in claim 4, for example. Thus, for at least these additional reasons, the Applicants respectfully request reconsideration of the rejection of claims 4 and 14.

C. Dependent Claims 9 And 19

Dependent claim 9 recites, in part, “scheduling said transfer of the media from said first geographic location to at least said second geographic location utilizing said television [in **the home location, which is separate and distinct from the first and second geographic locations**] without consuming the media during said transfer.”

Dependent claim 19 recites similar limitations.

The Office Action cites McKenna at Figures 6, 8, and 9-11 as disclosing these limitations. See *id.* at page 8. While these Figures note “scheduling,” there is nothing in them that describes, teaches, or suggests scheduling the transfer of media from a first location to a second location using a television in a home location that is separate and distinct from the first and second locations. Thus, for at least these additional reasons, the Applicants respectfully request reconsideration of the rejection of claims 9 and 19.

IV. The Proposed Combination Of McKenna And SONICblue Does Not Render Claims 7, 17, 25, And 26 Unpatentable

The Applicants now turn to the rejection of claims 7, 17, 25, and 26 as being unpatentable over McKenna in view of SONICblue. The Applicants respectfully request reconsideration of these rejections for at least the reasons discussed above in Section III.A.

V. The Proposed Combination Of McKenna And Seo Does Not Render Claims 27-34 Unpatentable

The Applicants now turn to the rejection of claims 27-34 as being unpatentable over McKenna in view of Seo. In order for a *prima facie* case of obviousness to be established, the Manual of Patent Examining Procedure (“MPEP”) states the following:

The key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in *KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385, 1396 (2007) noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit. The Federal Circuit has stated that “rejections on obviousness **cannot be sustained with mere conclusory statements**; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.”

See MPEP at § 2142, citing *In re Kahn*, 441 F.3d 977, 988, 78 U.S.P.Q.2d 1329, 1336 (Fed. Cir. 2006), and *KSR International Co. v. Teleflex Inc.*, 82 U.S.P.Q.2d at 1396 (quoting Federal Circuit statement with approval (emphasis added)).

Further, as specifically noted in the Manual of Patent Examining Procedure, “[t]o establish *prima facie* obviousness of a claimed invention, **all** the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).” See MPEP at 2143.03 (emphasis added). Further, “[**a**ll words in a claim **must be considered** in judging the patentability of that claim against the prior art.’ *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA).” See *id.* (emphasis added).

With those principles in mind, the Applicants now turn to the claim rejections in particular.

A. Independent Claims 27 And 31

Claim 27 recites, in part, “a television, within a media processing system, located at a second home that is remotely located from the first home, wherein said television is utilized to arrange delivery of media from a third home that is remotely located from said first and second homes to said media peripheral at said first home.” Claim 31 recites similar limitations. The Office Action relies on McKenna as showing these limitations, except that McKenna does not “show where the third location, the source of the media, is another home.” See August 14, 2009 Office Action at page 11.

However, contrary to the assertion in the Office Action, McKenna does not describe, teach, or suggest a television in one location arranging delivery from another location to still another location, as discussed above in Section III.A. That is, McKenna does not describe, teach, or suggest “a television, within a media processing system, located at a **second home that is remotely located from the first home**, wherein said television is utilized to arrange delivery of media **from a third home that is remotely located from said first and second homes to said media peripheral at said first home**,” as recited in claim 27, for example. For at least these reasons, the Applicants

respectfully request reconsideration of the rejection of claims 27, 31, and the claims that depend therefrom.

B. Dependent Claims 29 And 33

Dependent claim 29 recites, in part, "wherein said television schedules said delivery of media to said media peripheral." Dependent claim 33 recites similar limitations. Thus, the claims are clear that the television **at the second home**, schedules delivery of media **from a third home that is remotely located from said first and second homes to said media peripheral at said first home**. The Office Action does not cite to anything in McKenna or Seo that describes, teach, or suggests such scheduling of media delivery. Thus, for at least these reasons, the Applicants respectfully request reconsideration of the rejection of claims 29 and 33.

VI. CONCLUSION

For at least the reasons discussed above, the Applicants respectfully submit that the pending claims are allowable. Therefore, the Board is respectfully requested to reverse the rejections of pending claims 1-34.

VII. PAYMENT OF FEES

The Commissioner is authorized to charge any necessary fees, including the \$540 fee for this Appeal Brief and the \$490 fee for the 2-month extension, or credit overpayment to Deposit Account 13-0017.

Respectfully submitted,

Dated: April 27, 2010

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CLAIMS APPENDIX
(37 C.F.R. § 41.37(c)(1)(viii))

1. A method for supporting communication of media, the method comprising:
controlling communication of the media from a television, in a home location,
within a media processing system, without consuming the media by said television
during said controlling, wherein said media processing system comprises a plurality of
media processing devices at a plurality of geographic locations; and

transferring the media from a first media processing device at a first geographic
location that is remotely located from the home location to at least a second media
processing device at a second geographic location that is also remotely located from
the home location according to said controlling communication from said television in
the home location.

2. The method according to claim 1, comprising generating at least one
command from said television causing said transfer of the media.

3. The method according to claim 1, comprising receiving at least one
command that results in said transfer of the media from said first geographic location to
said second geographic location.

4. The method according to claim 3, comprising receiving at least one
request by said television for said controlling communication of the media.

5. The method according to claim 4, comprising responding to said received
request, said response resulting in said transfer of the media from said first geographic
location to said second geographic location.

6. The method according to claim 1, wherein said first geographic location
and said second geographic location correspond to a location of one or more of a
media peripheral, a media processing system, a media storage system, a personal
computer and a third party media provider.

7. The method according to claim 1, wherein said first geographic location
and said second geographic location comprise different residence locations.

8. The method according to claim 1, comprising displaying a user interface on a display of said television for said controlling communication of said transfer of the media.

9. The method according to claim 1, comprising scheduling said transfer of the media from said first geographic location to at least said second geographic location utilizing said television without consuming the media during said transfer.

10. The method according to claim 1, comprising storing said transferred media in at least one of said first geographic location and said second geographic location.

11. A machine-readable storage having stored thereon, a computer program having at least one code section for supporting communication of media, the at least one code section being executable by a machine for causing the machine to perform steps comprising:

controlling communication of the media from a television, in a home location, within a media processing system, without consuming the media by said television during said controlling, wherein said media processing system comprises a plurality of media processing devices at a plurality of geographic locations; and

transferring the media from a first media processing device at a first geographic location that is remotely located from the home location to at least a second media processing device at a second geographic location that is also remotely located from the home location according to said controlling communication from said television in the home location.

12. The machine-readable storage according to claim 11, comprising code for generating at least one command from said television causing said transfer of the media.

13. The machine-readable storage according to claim 11, comprising code for receiving at least one command that results in said transfer of the media from said first geographic location to said second geographic location.

14. The machine-readable storage according to claim 13, comprising code for receiving at least one request by said television for said controlling communication of the media.

15. The machine-readable storage according to claim 14, comprising code for responding to said received request, said response resulting in said transfer of the media from said first geographic location to said second geographic location.

16. The machine-readable storage according to claim 11, wherein said first geographic location and said second geographic location correspond to a location of one or more of a media peripheral, a media processing system, a media storage system, a personal computer and a third party media provider.

17. The machine-readable storage according to claim 11, wherein said first geographic location and said second geographic location comprise different residence locations.

18. The machine-readable storage according to claim 11, comprising code that causes display of a user interface on a display of said television for said controlling communication of said transfer of the media.

19. The machine-readable storage according to claim 11, comprising code for scheduling said transfer of the media from said first geographic location to at least said second geographic location utilizing said television without consuming the media during said transfer.

20. The machine-readable storage according to claim 11, comprising code for storing said transferred media in at least one of said first geographic location and said second geographic location.

21. A system for supporting communication of media, the system comprising:
a media peripheral at a first geographic location;
a television within a media processing system at a home location that is remotely located from the first geographic location, said television is utilized to arrange media delivery from a second geographic location that is remotely located from said home

location to the media peripheral at the first geographic location for playback on said media peripheral; and

a communication pathway between the first geographic location and the second geographic location that operates independent of said television through which the media is delivered.

22. The system according to claim 21, wherein said television generates at least one command that causes said media delivery.

23. The system according to claim 22, wherein said television responds to said at least one command resulting in said media delivery.

24. The system according to claim 21, wherein said television displays a user interface that is utilized to control said media delivery.

25. The system according to claim 24, wherein said user interface provides an indication of said media peripheral.

26. The system according to claim 25, wherein upon selection of said indication of said media peripheral in said user interface, said media delivery is initiated.

27. A system supporting communication of media, the system comprising:
a media peripheral located at a first home; and
a television, within a media processing system, located at a second home that is remotely located from the first home, wherein said television is utilized to arrange delivery of media from a third home that is remotely located from said first and second homes to said media peripheral at said first home.

28. The system according to claim 27, wherein said television transfers stored media to one or both of a media peripheral located at said first home and/or another media peripheral remotely located with respect to said first home.

29. The system according to claim 27, wherein said television schedules said delivery of media to said media peripheral.

30. The system according to claim 27, wherein said television redirects delivery of media to said media peripheral without said television at least one of receiving and consuming the media.

31. A system supporting communication of media, the system comprising:
a television, within a media processing system, located at a second home that is remotely located from a media peripheral located at a first home, wherein said television is utilized to arrange delivery of media from a third home that is remotely located from said first and second homes to said media peripheral at said first home.

32. The system according to claim 31, wherein said television transfers-stored media to one or both of said media peripheral located at said first home and/or another media peripheral remotely located with respect to said first home.

33. The system according to claim 31, wherein said television schedules said delivery of media to said media peripheral.

34. The system according to claim 31, wherein said television redirects delivery of media to said media peripheral without said television at least one of receiving and consuming the media.

EVIDENCE APPENDIX
(37 C.F.R. § 41.37(c)(1)(ix))

- (1) U.S. 6,915,528 ("McKenna"), entered into record by Examiner in August 11, 2008 Office Action.
- (2) SONICblue (Replay TV 400 Users Guide, 2001), entered into record by Examiner in December 22, 2006 Office Action.
- (3) U.S. 2002/0147975 ("Seo"), entered into record by Examiner in August 11, 2008 Office Action.

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Appeal Brief

RELATED PROCEEDINGS APPENDIX
(37 C.F.R. § 41.37(c)(1)(x))

The Applicants are unaware of any related appeals or interferences.